3:19-cv-00506-RGK-PRSE	Doc # 1 File	d: 11/19/19	Page 1 c	of 54 - Page ID # 1
	E UNITED STAT			US DISTRICT COURT DISTRICT OF NEBRASKA NOV 1 9 2019
Dale Barta)			OFFICE OF THE OLD TO
Plaintiff,)	8	ACVE	OFFICE OF THE CLERK
v.)	CIVIL I	RIGHT'S V	OLATION
Tami Yeomans, et al. Rodney O'Neil)))	DEFAU	LT COLLE	CCTION
Kurby Alloway, Depty)	STATE	MENT OF I	FACTS
Second Depty Daune Brockman Linda Heerman)	CRIMI	NAL TRES	PASSING
Dale Crandell)	HOMES	STEAD RIC	GHTS
Jack Todd Greg Todd James D. Gotschall)	Crime V	/ictim's righ	nts,
Larry Donner, Sheriff, et al.)	Refusin	g to file hor	mestead and land patent
Defendant)	ESTOP	PLE, Title 1	18-1964
)	18 U.S.	Code 3771	. Victim's Rights,

COMES NOW, Dale Barta, Pauper: Motion of Statement of Fact's. 18 U. S. Code 3771 Code Victim's rights. Nebraska fully recognizes Land Patents, Homestead, as Proof of ownership, Nebraska Revised Statues 25-1283. Crime Victim's rights, asked for a court appointed attorney, was refused. Title 18 – 3771.

EXHIBIT 1: Warranty Deed

EXHIBIT 2: United States Department of the Interior Bureau of Land Management.

EXHIBIT A: Bankrucpty Court Order

EXHIBIT B: Edited Excerpts from : Do you own your land.

EXHIBIT C: Notice of Land Patent.

EXHIBIT F: HOMESTEAD.

EXHIBIT H: DECLARATION OF HOMESTEAD.

EXHIBIT I: Land Description – Attachment A.

EXHIBIT J: Nebraska fully recognizes land patents as proof.

EXHIBIT K. Return of Unfilled Documents.

EXHIBIT L. Land Patent or NOTICE of LIS PENDENS.

EXHIBIT M: Crime victims' rights

EXHIBIT N: Trespassing Pictures of taking of Pickup from property.

EXHIBIT O: Picture of thief of Livestalk.

AFFIDAVIT OF FACTS. Are EXHIBIT 1, 2, A, B, C, F THROUGH O.

Pound Beach, 15 U. S. C., 28 - 91 or 91(cb) destroys, removes, impairs the availability of any Public record. U.S.C. -5. On May 4, of 2000, Order from Unite States Bankruptcy Court Discharging all creditors are prohibited from attempting to collect any debt that has been discharged in this case.

On 2002 the Garfield County Sheriff and Depty's and other individual's did trespass and steal, removing cows, calves, and bulls to the burwell sale barn and were sold on April 19 2002. At that time were sold for \$28020.02. Asking the cost of replacement is \$45900.00 for cows only. Calves valued at \$354375.00. Bulls value \$12000.00, and interest from 2002.

GARFIELD COUNTY ATTORNEY refused to file Federal Papers that was presented to the court clerk by Dale Barta Plaintiff, sent certified mail and was returned unfilled.

Carl and Linda Molesworth name has been added to the land as ownership, are not the owners.

Dale and Sherill Barta are the owners of this property. Carl and Linda Moesworth were given survivor ship nothing else.

Rodney O'Neal, Tami Yeoman, on June 10 – 2013 was the start of this trespassing. Also on October 25 2018, and on October 27, 2019 moved a large group of cattle on Dale Barta property without permission. Dale Barta was never offered any payment, this has been Criminal trespass for the last 7 years. 18 U. S. C. Section 245, Criminal trespass, \$125.000.00 each for 7 years plus interest.

Kurby Alloway, \$300,000.00 , Duane Brockman \$10.000.00, Loss for the use of pickup \$91.000.00, Pickup value \$6500.00, tools \$1000.00, replacement of pickup \$10.000.00, Color of Law, \$25000.00. Plus Interest

For removal of trees and wear and replacing of windmill's, \$55.000.00. plus interest.

Dale Barta

46629 822nd Rd.

Bale Barta

Burwell Nebraska 66823

Phone, 308 - 346 - 4468

Date 11 – 19 - 2019

1031/2-WARRANTY DEED-Joint Tenancy-Vesting Entire Title In Survivor

The Huffman General Supply House, Lincoln, Nebr.

KNOW ALL MEN BY THESE PRESENTS, That

EXHIBIT 1

Frank Bohn, a single man, Margaret E. Olson, and Walter O. Olson, wife and husband, and

Luceil Martin and Edgar R. Martin, wife and husband, each in their own right and as spouse of each other, and being the sole and only heirs at law, and their respective husbands, of John Bohn, deceased,

in consideration of (\$16,800.00) Sixteen Thousand eight hundred and no/100DOLLARS in hand paid, do hereby grant, bargain, sell, convey and confirm unto

Dale L. Barta and Sherrill D. Barta, husband and wife,

and State of Nebraska , to-wit:

The Southeast Quarter of the Southwest Quarter (SE\(\frac{1}{2}\)SW\(\frac{1}{4}\)), and Southwest Quarter (S\(\frac{1}{2}\)SE\(\frac{1}{4}\)) of Section 34, and Southwest Quarter of the Southwest Quarter (SW\(\frac{1}{4}\)SW\(\frac{1}{4}\)) of Section 35, all in Township 21, North of Range 16, West of the 6th P.M., in Garfield County, Nebraska,

NEBRASKA DOCUMENTARY. STAMP TAX SEP 1 6 1969

\$18.70 BY M. O.

together with all the tenements, hereditaments and appurtenances to the same belonging, and all the estate, title, dower, right of homestead, claim or demand whatsoever of the said grantorS , of, in or to the same, or any part thereof; subject to no exceptions

IT BEING THE INTENTION OF ALL PARTIES HERETO, THAT IN THE EVENT OF THE DEATH OF EITHER OF SAID GRANTEES, THE ENTIRE FEE SIMPLE TITLE TO THE REAL ESTATE DESCRIBED HEREIN SHALL VEST IN THE SURVIVING GRANTEE.

TO HAVE AND TO HOLD the above described premises, with the appurtenances, unto the saic granlees as TONIC TEMANTS and not as tenants in common, and to their assigns, or to the heirs and assigns of the survivor

together with all the tenements, hereditaments and appurtenances to the same belonging, and all the estate, title, dower, right of homestead, claim or demand whatsoever of the said grantorS , of, in or to the same, or any part thereof; subject to no exceptions

IT BEING THE INTENTION OF ALL PARTIES HERETO, THAT IN THE EVENT OF THE DEATH OF EITHER OF SAID GRANTEES, THE ENTIRE FEE SIMPLE TITLE TO THE REAL ESTATE DESCRIBED HEREIN SHALL VEST IN THE SURVIVING GRANTEE.

TO HAVE AND TO HOLD the above described premises, with the appurtenances, unto the said grantees as IOINT TENANTS, and not as tenants in common, and to their assigns, or to the heirs and assigns of the survivor of them, forever, and we the grantor S named herein for US our heirs, executors, and and administrators, do covenant with the grantees named herein and with their assigns and with the heirs and assigns of the survivor of them, that we are lawfully seized of said premises; that they are free from incumbrance the said grantor s have good right and lawful authority to sell the except as stated herein, and that we same, and that we will and our heirs, executors and administrators shall warrant and defend the same unto the grantees named herein and unto their assigns and unto the heirs and assigns of the survivor of them, forever, against the lawful claims of all persons whomsoever, excluding the exceptions named herein.

IN WITNESS WHEREOF we have hereunto set Our hand S this 3rd day of July , 1969

In presence of

Source Codredon to trank Bohn Walter O. Olson

STATE OF NEBRASKA County	On this 5 day of July 19.69, before me, the undersigned a Notary Public, duly commissioned and qualified for said County, personally came Frank Bohn, a single man
A E PARTIE OF THE PARTIE OF TH	to me known to be the identical person or persons whose name is or names are subscribed to the foregoing instrument, and acknowledged the execution thereof to be, his, her or their voluntary act and deed. Witness my hand and Notarial Seal the day and year last above written. Notary Public. My commission expires the 28 day of 6 day of 19.7/
STATE OF MISSOURI Vern on County	On this 10 th day of July , 1969, before
Vernon County	me, the undersigned a Notary Public, duly commissioned and qualified for
- 139 10 00	said County, personally came Margaret E. Olson and Walter O. Olson,
OE J. Alling	wife and husband
W. CAD	to me known to be the identical person or persons whose name is or names are
3:40	subscribed to the foregoing instrument, and acknowledged the execution thereof to
Z MBL	be, his, her or their voluntary act and deed.
Con entire	Witness my hand and Notarial Seal the day and year last above written.
	My commission expires the 26th day of march, 19.7/
STATE OF KANSAS)	Luceil Martin and Edgar R. Martin, wife and husband, to me known to be the identical person or persons whose name is or names are subscribed to the foregoing instrument, and acknowledged the execution thereof to be, his, her or their voluntary act and deed. Witness my hand and Notarial Seal the day and year last above written.
NSAS NO.	My commission expires the 12-day of 1972

: : : 1

File No.

WARRANTY DEED VESTING ENTIRE TITLE IN SURVOR
From
To
STATE OF Mikuska
Gusfeelds County,
Entered on Numerical Index and fid for
Record in the Register of Deeds' office [said
County, the day of State
1969, at 3. 40 o'clock / I., and
recorded in Book
292
Elevare I Sma
Register of Deeds
Register of Deeds
Mail
Num I Gen I
Compared by
Paged Numerical Paged General
Time Rec'd Fee 3.50
Time Recuired

The Huffman General Supply House, Lincoln, Nel pr.

United States Department of the Interior **Bureau of Land Management**

DIV OF SUPPORT SERVICES P.O. BOX 1828 CHEYENNE, WY 82003 -1828 Phone: (307) 775-6256

Receipt

TOTAL:

Transaction #: 794354

Date of Transaction: 10/08/2003

EXHIBIT

CUSTOMER: DALE BARTA RT #1 BOX 106

BURWELL, NE 68823

LINE#	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	3.00	IAC PRODUCTS / COPIES / APERTURE CARD/FICHE (MTP) / PAPER COPIES (ANY SIZE) \$1.10/P	PATENTS	1.10	3.30
2	3.00	IAC PRODUCTS / SERVICE/ADMIN CHARGES / CERTIFICATION OF RECORD / CERTIFICATION OF RECORD		0.25	0.75

PAYMENT INFORMATION AMOUNT: \$4.05 POSTMARKED: 10/02/2003 1 TYPE: CHECK **RECEIVED: 10/08/2003** CHECK NO: 2161 NAME: BARTA, DALE RT #1 BOX 106 BURWELL NE 68823

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

Form 1370-344 (April 1992)	DEPARTMENT BUREAU OR LA	d Shates Of the Inherior ND MANAGEMEN			Reference a Date	2 Number 130	3703 <u> </u>
Namie Bull Baddress (include zip code	4/ Ja) (Optional)	RKREQUEST	Paid by: 1	Fig.	OR BLM USEPAYMENT	REQUIRED	
RK 1 L Bur Will Telephone (include area)	NG. GI	<u> </u>	₃ (Payable i Cash	o Department	the Interior/BL	M) S	
	ting Pickup DOCUMENT OF RECOR		DDA Acco	unt No. SIGNED CER4	QUANHTY	Balance UNIT PRICE	S FOTAL
Palents	6080 fo	so 5506 Alfridia	v S	3	3	1,10 _,25	330 35
Overpayment of \$ United States Treasury ic	sto be refunde heck ≃ allow 30 days	dby Bi	ompleted by: Jan Grant M. Office:	nlle j		Grand Total	\$405
Refunds of Less Remarks:	s Than \$1.00 Upon Requ	uest Only Da	ite //	103		Balance	

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:

DALE L. BARTA and SHERRILL D. BARTA,

Debtors.

CASE NO: BK96-40899

ORDER DISCHARGING CHAPTER 12 DEBTORS STATE OF MEDRASKA \$ SS.

GARFIELD COUNTY \$ SS.

Filed in the Cierk's Office of said County, this 10 cay of 10 cay of

It appearing that the persons named above have filed a Petition commencing a case under title 11, United States Code, on May 23, 1996, that an Order for Relief was entered under Chapter 12 and that no complaint objecting to the discharge of the debtors was filed within the time fixed by the Court, the Court finds:

- 1. That the debtors' plan has been confirmed, and
- 2. That the debtors have fulfilled all requirements under the plan.

IT IS ORDERED THAT:

- 1. The debtors are discharged from all debts provided for by the plan or disallowed under 11 U.S.C. §502, except any debt:
- a. On which the late payment is due after the date on which the final payment under the plan was due, as specified in 11 U.S.C. §1222(b)(5);
- b. On which the last payment on an allowed secured claim is due after the end of the period provided for in 11 U.S.C. §1222(c), as specified in 11 U.S.C. §1222(b)(9); or
 - of the kind specified in 11 U.S.C. §523(a).
- 2. All creditors are prohibited from attempting to collect any debt that has been discharged in this case.

DATED THIS _ day of _ MAY

, 2000.

BY THE COURT

Approved as to Form and Content:

Richard K. Lydick

PREPARED BY:

TODD V. ELSBERND, #18785 BRADLEY, MASER, KNEALE, & ELSBERND, P.C.

202 West Third Street, 4th Floor P O. Box 639

Grand Island, NE 68802 Telephone: (308) 382-2128

29- non

COPIES MAILED BY THE COURT TO ALL CREDITORS AND PARTIES IN INTEREST LISTED ON THE OFFICIAL COURT MATRIX.

Edited Excerpts from: "Do you own your Land?"



EXHIBIT & B

WARN Voi. 1 Issue 1a July 4, 1997 p. 10 (order info)

Oct. 12, 2009

The foundation of this nation was real property ownership. That's why the settlers came here. To insure private ownership of land, the nation's founding fathers made it unlawful for government to own land except for the ten square miles of Washington D.C., and such as may be needed for erection of Forts, Magazines, Arsenals, dockyards, and other needful buildings. (The Constitution)

When an American fulfills the requirements to obtain a "Land Patent" the patent is assigned by and under the hand and seal of the President of the United States, in accord with an Act of Congress.

Fictitious entities, like trusts, corporations, etc. cannot obtain land patents except by express act of Congress. An example of Congress granting land through patents to fictitious entities is the railroad grants made to compensate the railroad companies for building railroads across America.

The Land Patent is the only form of perfect title to land available in the United States. <u> 1,70 an y, yaohson, 38 PET+U.S., 498; 10 L.Ed. 284</u>

In America today people think they own their land, but unless they have the Land Patent on the land they do not own it. Most people today obtain "Real Estate" by contract and then on fulfillment of the contract they transfer control of land by "Warranty Deed".

The "Warranty Deed" is merely a "color of title". Color of Title means: "That which is a semblance or appearance of title, but not title in fact or in law." Howth v. Farrar, C.C.A. Tex.; 94 F.2d 654, 658; McCoy v. Lowrie, 42 Wash. 2d 24, Black's Law Sixth Ed.

The Warranty Deed cannot stand against the Land Patent. "A grant of land (Land Patent) is a public law standing on the statue books of the State, and is notice to every subsequent purchaser under any conflicting sale made afterward." Wineman M. Gastrell 33 FED 337, 2 U.S. App. 581

The Land Patent is permanent and cannot be changed by the government after its issuance. "Where the United States has parted with title by a patent legally issued and upon surveys made by itself and approved by the proper department, the title so granted cannot be impaired by any subsequent survey made by the government for its own purposes." [_ _____] ____ [[[] 2 -]]

In the history of this county no Land Patent has ever lost an appellate review in the courts. As a matter of fact in <u>Summa Domes Deliminal</u>, 466 US 198 the Supreme Court ruled forever that the Land Patent would always win over any other form of title. In that

case the land in question was tidewater land and California's claim was based on California's constitutional right to all tidewater lands. The patent stood supreme even against California's Constitution.

Land cannot be taken for debt or taxes, but Real Estate can be.

What is Land? By definition: "Land' is not restricted to the earth's surface, but extends below and above the surface. Nor is it confined to solids, but may encompass within its bounds such things as gases and liquids. A definition of 'land' along the lines of 'a mass of physical matter occupying a space' also is not sufficient, for an owner of land may remove part or all of that physical matter, as by digging it up and carrying away the soil, but would nevertheless retain as part of his 'land' the space that remains. Ultimately ... 'land' is simply an area of three dimensional space, its position being defined by natural or imaginary points located by reference to the earth's surface. 'Land' is not the fixed contents of that space, although, as we shall see, the owner of that space may well own those fixed contents. Land is immovable, as distinct from chattels, which are moveable; it is also, in its legal significance, indestructible. The contents of the space may be physically severed, destroyed or consumed, but the space itself, and so the 'land', remains immutable." Peter Butt, Land Law 9 (2nd ed. 1988) Reprinted in Black's Law Dictionary, Seventh Edition

What is Real Estate? It's a document that lays over the land in color of title; though it is not the Land itself, it may include with it the right to real property that sits upon the Land. Banks and corporations like Real Estate because they can own it without an Act of Congress. They and others can use the fiction of title to it to seize property under the color of law.

They've taken their colors of title into the courts for so long that the people (under three generations of deception and ignorance) simply allow them to go ahead. Generally, people seem to have forgotten about land patents.

For that cause when you go into a court today with a real land title case (a Land Patent case) chances are the judge and any attorneys involved won't know what a Land Patent is.

The first court you run into that understands the power of a Land Patent may be a U.S. Circuit court of Appeals, and in the history of this nation there has never been an appellate case where a properly set Land Patent has ever lost its title to the Land.

If you ever have the occasion to have to defend your right to your land in court. And someone else presents a proof of right to the land patent on your land, you'll loose your land.

If you haven't secured your right to your land by its land patent, you may be abandoning your right to your land and any prior owner with lawful right to the land patent could secure it to themselves and evict you off from the land you thought was yours, and you'll have to leave.

So contact us and get your land patent secured. It's important.

Now, let's suppose you have your Land Patent properly secured and for some reason you have to defend your right to the land. What do you do?

If you understand the patent and how it works you'll defend it successfully.

So again, here's how it works:

The Land came to the nation by treaty or war prize. The government only had limited ability to own land, as before mentioned, and all of the remainder of the land was held in the sole disposition of the United States until it was granted under act of Congress by the hand and seal of the President to some person. Then in that same act the President makes the Grant Patent. Which means that the Land came to the nation by treaty and the patent assigns a specific part of that treaty to you and your heirs and assigns forever.

So your land comes to you from the treaty through your Land Patent. This is critical, the Land Patent secures the treaty to you. The court is bound by the supremacy clause of the Constitution to uphold the treaty making your Patent a statutory limitation throughout the land. Wineman v. Gastrell. 53 FED 697, 2 U.S. App. 581.

If you ever have to defend your night to the Patent here's how. Get a full abstract on your land. The Abstract will show the assignment on the land and patent from the patent to you. Each record of the Abstract is a matter of public record, well established over time. If your right to the land was well secured (with a properly secured Warranty Deed) and you have properly accepted and secured the Land Patent to that Land (Team Law's documentation has worked over 60 years), you'll win, if you're prepared.





Page 4 - Wednesday, September 12, 2012



NOTICE OF LAND PATENT Ref # 1303703

Legal Description

A tract of land being the East Half of the Southwest Quarter (E 1/2, SW 1/4) and the Southeast Quarter (SE 1/4), of Section Thirty-Four (34), and the Southwest Quarter of the Southwest Quarter (SW 1/4, SW 1/4) and the North Half of the Southwest Quarter (N 1/2, SW 1/4) of Section Thirty-five (35), all in Township Twenty-one (21) North, Range Sixteen (16) West of the Sixth Principal Meridian, Garfield County, Nebraska, more particularly described as follows:

Beginning at a BLM Brass Cap located at the Southwest Corner of said Section 35; thence Easterly on the South line of said Section 35 a distance of 1309.77 feet to the East line of said SW 1/4, SW 1/4; thence Northerly on said East line a distance of 1327.92 feet to the North line of said SW 1/4, SW1/4 and the

South line of the N 1/2 of said SW 1/4; thence Easterly on said South line a distance of 1334.74 feet to the East line of said SW 1/4; thence Northerly on said East line a distance of 1323.85 feet to the Northeast Corner of said SW 1/4; thence Westerly on the North line of said SW 1/4 a distance of 2534.13 feet to the Northwest Corner of said SW 1/4, said point also being the Northeast Corner of the SE 1/4 of said Section 34; thence Westerly on the North line of said SE 1/4 a distance of 1306.11 feet to the Northwest corner of said E 1/2, SE 1/4; thence Southerly on the West line of said E 1/2, SE 1/4 a distance of 2650.55 feet to the South line of said Section 34; thence Easterly on said South line a distance of 3929.31 feet to the Point of Beginning. Containing 360 Acres, more or less, subject to any County Road Right-of-Ways not previously vacated.

NOTE: All distances shown hereon are calculated based on the GLO/BLM Department Resurvey dated February 14th, 1958.

Dale L. Barta 46629-822nd RD Burwell, NE 68823

S-12, 19, 26

15-13.

NOTICE OF LAND PATENT

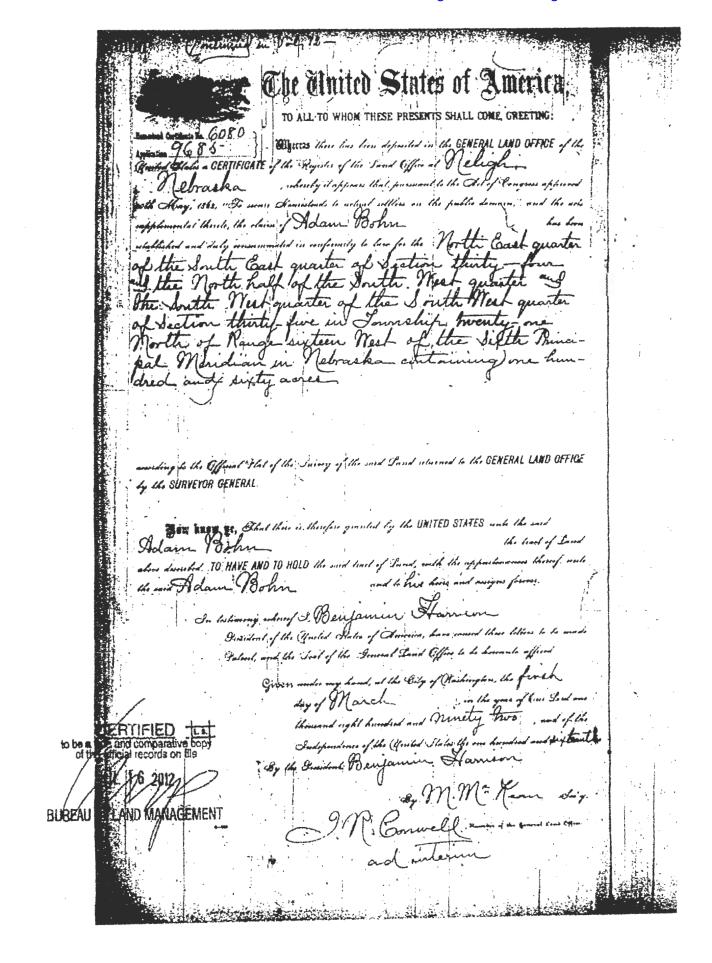
Dale Leighton Barta an Sherrill Dorine Barta no claim the forever benefit of the land patent and occupy the land located at 46629-822nd Road Burwell, Nebrasa.

Documentation may b viewed online at

http://tinyurl.com/aenw22x Published J23, 30, F (

				No.						: <u>:4</u> .55		
		DE	U	er s	Sinter	"of	Mi	letter				
0.70	45						O					
		11 6 1	o all to w	, ,		1					EXHIBIT	F
			Barbora	-Bon	n of S	arfiel	A O	renty !	Mass	2		
				· ·	1							
	· Kili	11	brack	OFFICE of	the National States, whosehop it no							
	Bend	za E	shir	,								
	the Act of Co	ar 2	SOL of April 2	الوقائلة (20	'An Art making	further prav	lation for the	ording to the Pu	blic Lanes."			
	West o	ioste	e MS	194 Sp	rith Od	et qu	carter	of the	corite			
	trock	2800	Milh	MK	ange	ANT	een	West	file			
			deres	Minis	eccess)	111 /1,	iora	eka-co	rocean			
1						į						
A STEEL STEEL				٠, ر	•	•						
Sept.		:										
	according to	. \$	led of the survey	•	<i>31 . 1</i>		, ,	by the Survey	or General.			
E Paragraphica	. 4		Mr. That the U				ì	mines, and in	conformity			
7	with the sure		ingrees in such unto the said	** *			ND GRANT	ED, and by the	ee preesta			
į. Įλα				•								
A Section	and to All	L bain, il	d appointment		d: . To mays at yor malare, iller	٠, ١		<i>Q</i> .	the rights			
The Mark	Bede	ار					he	heirs anti assi	i ., i			
		1.3		21	م محمد معاشد	21	ela	, .	CONTROL OF THE PARTY OF THE PAR			
	Parameter or	rs Dame	States or Am	man, harr co	and these lette			d the seal of t	he General			
	Land Differ In	he harquel	-			:	7	i.	ا ا		1	
		The state of	Civen	Dicen	eber in			thousand sign	1		DER IFIEU te and comparative official records or	е сору
		4		princh	three			eaf the Dulle	11.		omciay records or	i file
				ne hundred a	- Sh	mier	61	velar	a		EL AND MANAGE	OF LIFE
C / 1						1 M	che	esa			r Laivlennaival	otivitiv (
		-	10	61	mari	30		o Omwał L	and (place)			
				157			(1)		A PAT			
			**		4.5							

P, J P	
į.	8
	Ohe United States of Jineren
	And the sound of the time that the same that
	to all to whom these presents shall come. Greeting
	comperent facot Free of Sarfield County
	Mibrack Facot Free of Sarfield County
	Chosaen
	hard deposited in the GENERAL LAND OFFICE of the United States a Certificate of the Magister of the Land Office
	at the ight Chebraicha , whereby it appears that full parment has been med to it.
	Jacob Free where whereby it appears that full payment has been made by the said
	facen and
1	according to the provinces of
	the Act of Congress of the 24th of April, 1820, cutilled "An Act making turbler provision for the sale of the Public Lands."
	and the acts supplimental thereto, for the Couth Mest quarter and the
	South and prarter and the torth tout quan
i	ter of the South Mest, xiacher of Section Thirty
	four it consisting two they one North of Range
	Sixteen West of the South Orincipal Meridian
	on Chebrucka containing on handred and
	Saity were comming on wondred and
	The secretary were
	according to the official plat of the survey of the said lands returned to the General Land Office by the Surveyor General,
	which said tract had been purchased by the said lacof free
	How latters He, That the United Spiles of America, in consideration of the premises, and in conformily
	with the second of the content of the president and in content of
	with the serses acts of Congress in such rase runds and provided, HAVE GIVEN AND GRANTED, and by these prescuts
	DO BLYR AND GRANT, ON the sale Coch dall
	and to tog helm the said tract above described: To HATE AND TO HOLD the same, together with all the rights,
	delithing incomittee and material
	the main applications, of what soorer mature, thereunto belonging, under the said
	and to feel being and emigra frents.
	In lestimany whereof I Dentamin Spanison
	· · · · · · · · · · · · · · · · · · ·
	Panelsony of yan Univers Syatus or Annaca, have catteen these letters to se made patent, and the seal of the General
. /	Land Offer to be herean to amond
<i>d</i> EBTIFIED	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
to be a true and comparative or	Constitute tander per hand, at the City of Windington, the Manual day
of the official records on file	of Constitute in the year of our Lord one thousand sight handred.
14x 76 2000	LE Company and at the independence of the United States the
1 397/19/19/	
11001	
BUREAU OF LAND MANAGEM	
<i>\(\)</i>	
V	
	(1) (1) (1) (1) (2) (2) (2) (2) (3) (3) (4) (4) (4) (4) (4) (4) (4) (4) (4) (4



Doc # 1 Filed: 11/19/19

Page 18 of 54 - Page ID # 18

DECLARATION OF HOMESTEAD

DATE:	12-05-12
TO:	Linda Heermann
	Post Office Box 218
	Burwell, Nebraska 68823
	Phone: 308-346-4161
	Fax:
FROM:	Dale Leighton Barta & Sherrill Dorine Barta
1 10111.	46629 – 822nd Road
	Burwell, Nebraska [68823]
•	Non Domestic without the US
Dear Linda	Heermann
domicile. I	reby declare that I/we claim the land located at the address below as my/our homestead and the deed to this land has been acknowledged, delivered, and accepted. I/We are in and do occupy this land. This land is held in Fee Simple/Allodium within Land at Name/Number Jacob Frei/ 5506, Barbora Bohn/ 6030, Adam E, dated
Land comm	only known as: 46629 – 822nd Road
	Burwell, Nebraska
	LEGAL DESCRIPTION - SEE ATTACHMENT "A"
reasonable a infringement such infring of America,	attached legal description is excepting any public contract that may infringe on the and necessary rights of relevant landowners. The attached legal description is excepting at on the sovereign rights of the Grantee as a matter of principal under common law. Any ement of sovereign unalienable rights as protected by the Constitution of the united States (circa 1787), as amended by the first Ten Amendments known as the Bill of Rights, (circa clared excluded, null, and void.
	ttached legal description is accepting any private contracts that may benefit the reasonable ry rights of relevant landowners.
Dale Leighton	
Owner (Print Name) Owner Signature
Sherrill Dorin	e Barta Shewell Dorine Boute
Owner (Print Name) Owner Signature

Declaration of Homestead:

WITNESS

The above-named Owner(s), known by below-subscribed witnesses or upon satisfactory evidence proven to below-subscribed witnesses to be the same, personally appeared before me, a witness, and did declare his/her/their homestead and domicile of his/her/their own free will and affixed his/her/their signature(s) thereon.

In witness this 5th day of 1000000 , A.D. 2012

VSSIM Thompson Witness Signature

Rhomi Beron Witness Signature

Witness (Print Name)

Witness Signature

The Remainder of the page intentionally left blank.

8:19-cv-00506-RGK-PRSE Doc # 1 Filed: 11/19/19 Page 20 of 54 - Page ID # 20

Page 20 of 54 - Page ID # 20

EX HIBI+1

Land Description - Attachment "A"

For the land commonly known as:	46629 - 822 nd Road		
	Burwell, Nebraska		[68823]
Legal Description (for identification	purposes only):		
The East Half of the Southwest Quart Section Thirty-Four (34), and the South and the North Half of the Southwest (Township Twenty-one (21) North, Rai Garfield County, Nebraska.	thwest Quarter of the Quarter (N ½, SW ¼) o	Southwest Quarter (SW % of Section Thirty-five (35),	4, SW ¼) all in
Full Description			
Map Number	Book <u>27</u>	Page Number 292	2
Lot Number	Block	<u>. </u>	
Name of Subdivision:			
From Subdivision Plat – Surveyors Co	ertificate - Metes and	Bounds description of Sub	odivision:
A tract of land being the East Half Quarter (SE ¼), of Section Thirty-F Quarter (SW ¼, SW ¼) and the Northirty-five (35), all in Township Two Principal Meridian, Garfield Count Beginning at a BLM Brass Cap local Easterly on the South line of said Staid SW ¼, SW ¼; thence Norther line of said SW ¼, SW ¼ and the South line a distance of 1334.74 fer East line a distance of 1323.85 fee on the North line of said SW ¼ and SW ¼, said point also being the North line of said SW ¼ and SW ¼, said point also being the North	our (34), and the Sourth Half of the Southwenty-one (21) North, by, Nebraska, more parted at the Southwest Section 35 a distance of uth line of the N ½ of the to the East line of the to the Northeast Colistance of 2534.13 feets	thwest Quarter of the Souvest Quarter (N ½, SW ½) of Range Sixteen (16) West of rticularly described as follows: Corner of said Section 35 of 1309.77 feet to the East distance of 1327.92 feet to f said SW ½; thence Easter said SW ½; thence Northerner of said SW ½; thence et to the Northwest Corne	of Section of the Sixth ows: c; thence the North orly on said erly on said Westerly r of said

NOTE: All distances shown hereon are calculated based on the GLO/BLM Dependent Resurvey dated February 14th, 1958.

County Road Right-of-Ways not previously vacated.

Westerly on the North line of said SE % a distance of 1306.11 feet to the Northwest corner of said E %, SE %; thence Southerly on the West line of said E %, SE % a distance of 2650.55 feet to the South line of said Section 34; thence Easterly on said South line a distance of 3929.31 feet to the Point of Beginning. Containing 360 Acres, more or less, subject to any

Declaration of Homestead:

WITNESS

The above-named Owner(s), known by below-subscribed witnesses or upon satisfactory evidence proven to below-subscribed witnesses to be the same, personally appeared before me, a witness, and did declare his/her/their homestead and domicile of his/her/their own free will and affixed his/her/their signature(s) thereon.

In witness this 5th day of 100000 , A.D. 2012

Witness (Print Name) Witness Signature

Witness (Print Name) Witness Signature

Witness Signature

The Remainder of the page intentionally left blank.

Public Land Survey System Description:

Section 34 Township 21 N Range 16 W Base/Meridian Sixth Principal Meridian

Aliquot Part: the East Half of the Southwest Quarter (E ½, SW ½) and the Southeast Quarter (SE ½)

Section 35 Township 21 N Range 16 W Base/Meridian Sixth Principal Meridian

Aliquot Part: the Southwest Quarter of the Southwest Quarter (SW ¼, SW ¼) and the North

Half of the Southwest Quarter (N ½, SW ¼)

Land Patent: Number 5506 Date August 20, 1890

Land Patent: Number 6030 Date December 26, 1893

Land Patent: Number 6080 Date March 1, 1892

MILLER & ASSOCIATES CONSULTING ENGINEERS, P.C. P.O. BOX 306 KEARNEY, NE 68848-0306 PH. 308/234-6456 **INVOICE NO. 13** 0275

March 26, 2013

319-LS-052-12 Dale Barta 46629 822nd Road Burwell, NE 68823

Surveying Services

(f)

Professional Services Rendered as Follows:

Consisting of work performed for legal description for a Tract in Section 34 & 35, T21N, R16W, Garfield County, Nebraska, per your request.

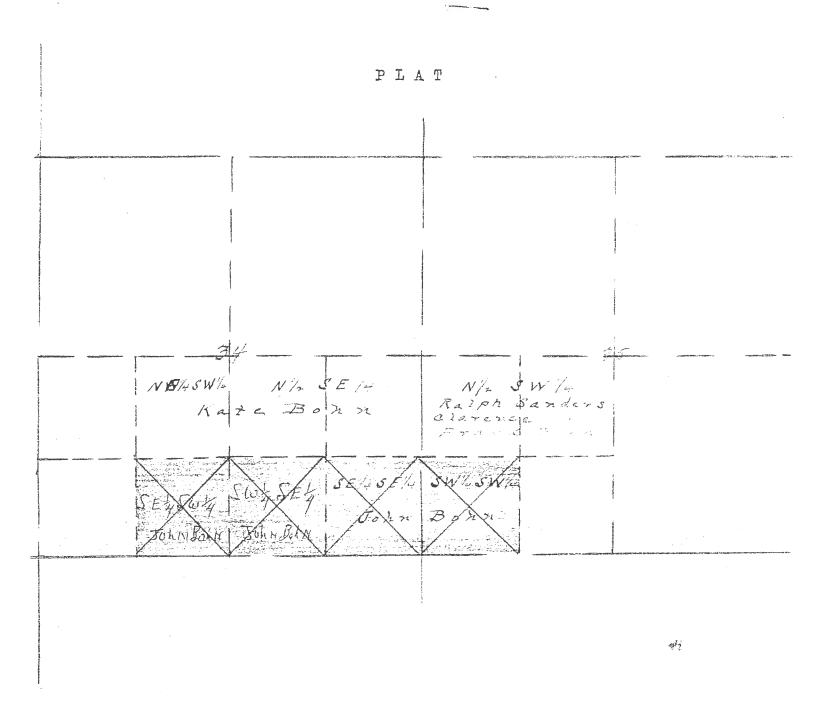
Licensed Land Surveyor 2.0 Hour @ \$75.00/hour

\$ 150.00

Total Due This Invoice

\$ 150.00

pd check 3902 ant \$ 150.00 4/08/2013



Page 1 of 2

Paul John

EXHIBIT T

Nebraska Fully Recognizes Land Patents as Proof,

Scammers are selling packages to help you bring forward a "land patent", it is a wast of money, all one needs is a certified copy from the Bureau of Land Management of your district and that is absolute proof in any US court that the USA sold the land at one time in history, therefore sold its governance (property taxing) rights.

Nebraska Revised Statute 25-1283

Revised Statutes » Chapter 25 » 25-1283

Print Friendly

25-1283. Land office receipts; effect as evidence.

The usual duplicate receipt of the receiver of any land office, or, if that be lost or destroyed, or beyond the reach of the party, the certificate of such receiver that the books of his office show the sale of a tract of land to a certain individual is proof of title equivalent to a patent against all but the holder of an actual patent.

Source

R.S.1867, Code § 411, p. 462;

R.S.1913, § 7976;

C.S.1922, § 8917;

C.S.1929, § 20-1283;

R.S.1943, § 25-1283.

Annotations

Holder of receiver's certificate cannot, when entry is canceled, maintain ejectment. Oldfather v. Ericson, 79 Neb. 1, 112 N.W. 356 (1907); Headley v. Coffman, 38 Neb. 68, 56 N.W. 701 (1893).

Land office receipt is sufficient to protect one in possession against naked claim of superior right. Moore v. Parker, 59 Neb. 29, 80 N.W. 43 (1899); Kinney v. Degman, 12 Neb. 237, 11 N.W. 318 (1882).

Receiver's receipt gives color of title to entire tract described. Draper v. Taylor, 58 Neb. 787, 79 N.W. 709 (1899).

United States land officer's certificate is such color of title as to start statute of limitation running. Carroll v. Patrick, 23 Neb. 834, 37 N.W. 671 (1888).

Click HERF to view the list of foundational information created by Lawyer Paul John Hansen to aid in independence from the US System. Done in free inhabitant.info, need done in pauljjhansen.com.

OFFICE OF THE

GARFIELD COUNTY ATTORNEY

DALE C. CRANDALL

455 GRAND AVENUE P.O. BOX 310 BURWELL, NEBRASKA 68823 (308) 346-4284 Fax (308) 346-5402 Justice@nctc.net

February 28, 2013

EXHIBIT K.

Dale Barta 46629 822th Road Burwell, NE 68823

Re: Return of Unfiled Documents

Mr. Barta:

The enclosed document(s), described below, were recently submitted to the Garfield County Clerk for recording. I have previously advised you that Nebraska law does not permit the recording of such documents. The document(s) in question are returned to you unfiled.

1. Declaration of Homestead" with attached "Land Description - Attachment A" (4 pages).

As before, I strongly encourage you to consult with a licensed attorney with expertise in Nebraska real estate law before attempting to file or record any further documents such as those in question. Neb. Rev. Stat. Section 76-296 prohibits the filing of notices which slander the title to real estate and provides legal penalties for doing so, including the assessment of costs, attorney fees and damages against the filer of such documents.

Also enclosed, uncashed, is your postal money order #50000 CREEK

Very Truly Yours,

Very Truly Yours,

Very Truly Yours,

Sortial Number

Sortial Number

Sortial Humber

Sortial Humber

Sortial Humber

From

Dale

Sortial Humber

From

Dale

Madress

Pry to Linda Heermann

Pry to Linda Heermann

Solution

Solution

Pry to Linda Heermann

Solution

Solut

Tres	pass	No	otice	F	orm

Date Of Incident 5 / 31 / 2013 Time Of Incident WK AM PM
Incident Location NE 14,5W 14 - NB SEH \$54 - TOIRIL NB, SW 14 SE - TOIRIL
Person Receiving Trespass Notice Dale Barta & Sherrill Burta
Address 46624 - 822 Ruad Burwell, NE GXX3Phone 30x 346.
Date of Birth/ Height Weight Eye Color Hair Color
REASON FOR TRESPASS NOTICE: Fie built a ross fence and posted not ress fusing sighs on My property. Eliminated access between North & South Ends of my property.
According to Nebraska State Statute 28-521(3). Second degree criminal trespass is a Class 11 misdemeanor if the offender defies an order to leave personally communicated to him or her by the owner of the premises or other authorized person. This notice informs you that you are prohibited from trespassing, entering or occupying the land, dwelling and/or property located at:
NE 14, SW1/4 - N/2 SE1/4 S34 . T31 - RIG N/2, SW1/4 S35 - T31 - RI
This Trespass Notice constitutes a written demand to depart from the land and property <u>Immediately</u> , Any violation of this will be considered a Criminal Trespass and a violation of Nebraska State Statute 28-521(3). Violators may be subject to imprisonment up to 6 months or \$1,000.00 fine, or both.
Name of individual issuing Trespass Notice (please print) Signature
Signature of individual Receiving Trespass Notice Date of Trespass//
Trespass Notice Method of Delivery In Person Via Certified Mail
Cancellation of this notice must done at the Police/Sheriff's department by the property owner and/or authorized person.
I wish to cancel the above Trespass Notice.
Signature Date

DEED RECORD

FROM

Frank Bohn and wife

TO

Margaret C. Walker

STATE OF NEBRASKA, II. Garfield County, II. the 31st day of May and retorded in Book 20

Entered in Numerical Index and filed for record in Clerks office of said County

19 39 at 2 o'clock and minute: P. M.

20 page 269 of Deeds. W. S. Green

County Clerk-Register of Beeds, Deputs,

KNOW ALL MEN BY THESE PRESENTS: That Frank Bohn and Ollie Bohn, husband and wife

of the County of Garfield

and State of

Nebraska.

for and in consideration of the sum

of One Dollar and other valuable consideration

DOLLARS,

in hand paid do hereby grant, bargain, sell, convey and confirm unto Margaret C. Walker

of the County of Gerfield

and State of Nebraska

the following described real estate situated

 $i\pi$

m Garfield

County, and State of Nebraska.

to-wit:

The Northeast Quarter of the Southwest Quarter (NEISWE) and the North Half of the Southeast Quarter (NESSE) of Section Fnirty-four (SE) and the North half of the Pouthwest Quarter (NESWE) of Section Thirty-five (35) in Township Twenty-one (21) North of Range Sixteen (16) West of the 6th P. H.,

50¢ revenue stamp attached and cancelled

ध्येद्धाः ता विकास

County of Garfield

I, the undersigned, County Clerk of the about named county and state; do hereby certify the foregoing is a true copy of the original recount the same appears in my office.

Witness my hand and official seal this
day of Sealer Dev 3014

County Clerk

COUNTY CLEAR AND OFFICIAL AND SPERIL SPERIL

Ву

TO HAVE AND TO HOLD the premises above described, together with all the Tenements, Hereditaments and Appurtenances thereunto belonging unto the said Margaret C. Walker and to her heirs and assigns forever.

And they do hereby covenant with the said Grantee and with their heirs and assigns, that they lawfully seized of said premises; that they are free from encumbrance except bank taxes

that they have good right and lawful authority to sell the same; and they defend the title to said premises against the lawful claims of all persons whomsoever.

And the said Ollie Bohn

day of

do hereby covenant to warrant and

hereby relinquishes all

right, title, claim and interest

Signed this 31st
In Presence of

May

, A. D., 19 39 .

in and to the above described premises.

B. A. Rose

Frank Bohn

STATE OF Nebruska

Garfield

County,)
On this 31st day of heave A.D., 19 39, before me, the undersigned B. A. Rose a Notary Public, duly commissioned and qualified for and residing in said County, personally came Frank Bohn and Ollie Bohn, husband and wife

to me known to be the identical person S whose name S they affixed to the foregoing instrument as grantor S and acknowledged the same to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.

(SEAL)

My commission expires the 10th

B. A. Rose day of May

,1942 .

Notary Public.

8:19-cv-00506-RGK-PRSE Doc # 1 Filed: 11/19/19 Page 29 of 54 - Page ID # 29

IN THE COUNTY COURT OF GARFIELD COUNTY, NEBRASKA

ST V. DALE L BARTA

Printed on 6/02/2015 at 11:09

DOB: 7/31/1934

Room 83C01

Case ID: CR 14

20

Page 1 Date of Hearing 6/02/2015

Citation:

CHARGES (AMENDMENTS/PLEAS/FINDINGS/FINES/PRESENTENCE/JAIL/DISMISSALS)

CHARGE

STATUTE DESCRIPTION CLASS

01

28-521

Trespass-2nd degree/defy order to lea 2

MSD

Charge dismissed on the motion of the prosecutor with prejudice

APPEARANCES AND ADVISEMENT

Judge

Alan L Brodbeck

Defendant Prosecutor DALE L BARTA Dale C Crandall

Defendant previously advised of the nature of the above charges, all possible penalties and rights.

ARRAIGNMENT

Charges dismissed as shown above.

ADDITIONAL ENTRIES OF RECORD

The mandate of the District Court of Garfield County is ordered spread. This case is dismissed.

Hon.

02/2015 Date

Bailiff

Tape Nos. CD for date of hearing

before it. Sand Livestock Systems, Inc. v. Svoboda, 17 Neb.App. 28, 756 N.W.2d 299 (2008). The fact that the Court does not address the remaining assignments of error should not be construed by any party as an affirmation of the defendant's position taken with regard to the ownership of the disputed property.

ORDER: It is therefore the judgment and order of the court that:

- 1. The judgment of conviction is reversed and the cause remanded with directions to dismiss;
- The clerk shall, within the time allowed by §25-2733 R.R.S. 2008, issue a "mandate in appeals from the county court" and transmit the mandate in appeals to the clerk of the county court together with a copy of this decision; and
- Costs, both herein and in the County Court, of \$119.00 are taxed to the 3. plaintiff-appellee.

BY THE COURT:

1/1

	. Will
The Clerk of the Court is ordered to perform those acts checks being and to initial and date the court in resided when complete	Mark Kozisek, District Judge
ball and to initial and date the complete or positise when complete out. Mail a copy of this order, it portion of record and/or	r .
to the attorney of record of such party.	
Done on	
2. Enter the judgement on the judgement are and of the	
Court.	
Done on by	_
3. Mail a postcard or nouce to each party or attorney of	f
record within 3 days.	
Done on by	
Oppying therein Occion of the Court by	1 - 1010
copying therein	a energy
Done on by	
NOTING HIDGE	-



EXHIBITL.

CAVEAT

LAND PATENT or NOTICE of LIS PENDENS

Because of other circumstances beyond my immediate control, I am forced:

To submit a Land Patent and Declaration \underline{OR} a Notice of Lis Pendens to be registered:

- (A.) According to Nebraska Law # 76-278 (copy attached) which mandates the allowing of Patent Papers to be filed and recorded at the County Register of Deeds.
- (B.) And Nebraska Law # 76-211 (copy attached) mandates that all Deeds of real estate be acknowledged and recorded as directed in sections # 21615md through # 237 of ch. 76.
- (C.) And Mebraska Laws # 23-1510 and # 23-1511(copies attached) mandates that the Register of Deeds Shall file, record, and index every instrument and record the minute, hour, day, month, and year it was so filed.
- (D.) And Nebraska Law # 23-1311 (copy attached) mandates that the County Clerk or Register of Deeds shall not refuse to file an instrument unless a signature is not Legible.
- (E.) And Nebraska Law # 23-1507 (copy attached) mandates that any Register of Deeds who shall neglect to perform the duties described in # 23-1506 (copy attached) shall be guilty of a Class IV misdemeanor.
- (F.) And Nebraska Law # 76-218 (copy attached) mandates that every officer authorized to take acknowledgement of conveyance, who shall be guilty of a fraudulent practice in the execution of their duty prescribed by Law, Shall upon conviction of a misdemeanor, be subject to a fine, imprisonment, and shall be liable in damages to the party injured.
- (G.) And in addition I will be forced to filed suit in Federal District Court for your denying me of my Civil Rights as authorized by United States Law 42 USC 1983 (copy attached) which shall be in excess of \$10,000 as mandated by Federal Law.

You have been noticed.

Govern your self accordingly.

76-278. United States patents and certificates; where recorded. All certificates of the register and receiver of any United States Land Office of the entry or purchase of any tract of land, and all letters patent of land from the United States lying in this state, shall be recorded in the county in which the land lies, and where any patent as above, contains descriptions of land lying in more than one county, or otherwise, it shall be lawful to record in any county the whole of the descriptions of land situated therein without recording all descriptions contained in the patent. All maps and profiles required by the government of the United States to be filed by any railroad company in any general or district land office of the United States, for the completion of the title of such company to any right-of-way granted by the United States, shall be entitled to record in the office of the register of deeds or county clerk, as the case may be, in the same manner as plats of cities and villages, and the same effect shall be given thereto as to such plats when thus filed; Provided, such record shall include all the granting or conveying part or language of such patent, and the records of such certificates and patents, and all copies thereof so recorded, duly certified by the register of deeds, shall be prima facie evidence of the existence of such certificates and patents, and conclusive evidence of the existence of such record.

Source: R.S. 1866, c. 43, sec. 45, p. 290; Laws 1883, c. 63, sec. 1, p. 264; Laws 1887, c. 30, sec. 25, p. 372; Laws 1911, c. 97, sec. 1, p. 362; R.S. 1913, sec. 6246; C.S. 1922, sec. 5645; C.S. 1929, sec. 76-251.

76-211. Deeds; execution; record. Deeds of real estate, or any interest therein, in this state, except leases for one year or for a less time, if executed in this state, must be signed by the grantor or grantors, being of lawful age, and be acknowledged or proved and recorded as directed in sections 76-216 to 76-237.

Source: R.S. 1866, c. 43, sec. 1, p. 280; Laws 1887, c. 61, sec. 1, p. 561; R.S. 1913, sec. 6196; C.S. 1922, sec. 5595; C.S. 1929, sec. 76-201; Laws 1939, c. 96, sec. 1, p. 416; C.S. Supp., 1941, sec. 76-201.

23-1510. Instruments; endorsement, recording and indexing. The register of deeds shall endorse upon every instrument properly filed in his office for record the minute, hour, day, month, and year when it was so filed, and shall forthwith enter the same in the proper indices herein provided for; and after the same shall have been recorded, the book and page where it may be found shall be endorsed thereon.

Source: Laws 1885, c. 41, sec. 5, p. 222; Laws 1887, c. 30, sec. 7, p. 366; R.S. 1913, sec. 5625; ran C.S. 1922, sec. 4952; C.S. 1929, sec. 26-1210.

23-1311. Instruments; signatures; illegible; refusal to file. The name or names of each signer of an instrument presented for filing or recording in the office of the county clerk or register of deeds, including the name of any notary or official taking the acknowledgment, shall be typewritten or legibly printed beneath such signature, and the county clerk or register of deeds may refuse to accept and file any instrument failing to meet the requirements of this section; Provided, that if the county clerk or register of deeds determines that all signatures on the instrument are legible, he shall not-refuse to file the instrument.

Source: Laws 1959, c. 90, sec. 1, p. 400.

23-1507. Violations; penalty. Any register of deeds who shall neglect to perform any of the duties described in section 23-1506 shall be guilty of a Class IV misdemeanor.

Source: Laws 1893, c. 14, sec. 2, p. 147; R.S. 1913, sec. 5622; C.S. 1922, sec. 4949; C.S. 1929, sec. 26-1207; R.S. 1943, sec. 23-1507; Laws 1977, LB 40, sec. 96.

76-218. Acknowledgment and recording of instruments; violations; penalty. Every officer within this state authorized to take the acknowledgment or proof of any conveyance, and every county clerk, who shall be guilty of knowingly stating an untruth, or guilty of any malfeasance or fraudulent practice in the execution of the duties prescribed for them by law, in relation to the taking or the certifying of the proof or acknowledgment, or the recording or certifying of any record of any such conveyance, mortgage or instrument in writing, or in relation to the canceling of any mortgage, shall upon conviction be adjudged guilty of a misdemeaner, and be subject to punishment by fine not exceeding five hundred dollars, and imprisonment not exceeding one year, and shall also be liable in damages to the party injured.

Source: R.S. 1866, c. 43, sec. 46, p. 290; R.S. 1913, sec. 6250; C.S. 1922, sec. 5649; C.S. 1929, sec. 76-255.

EXHIBIT M

18 U.S. Code § 3771 - Crime victims' rights

Crime victims' rights

(a) Rights of Crime Victims.—A crime victim has the following rights:

(1)

The right to be reasonably protected from the accused.

(2)

The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or of any release or escape of the accused.

(3)

The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding.

(4)

The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding.

(5)

The reasonable right to confer with the attorney for the Government in the case.

(6)

The right to full and timely restitution as provided in law.

(7)

The right to proceedings free from unreasonable delay.

(8)

The right to be treated with fairness and with respect for the victim's dignity and privacy.

(9)

The right to be informed in a timely manner of any plea bargain or deferred prosecution agreement.

(10)

The right to be informed of the rights under this section and the services described in section 503(c) of the Victims' Rights and Restitution Act of 1990 (42 U.S.C. 10607(c)) and provided contact information for the Office of the Victims' Rights Ombudsman of the Department of Justice.

(b)Rights Afforded.—

(1)In general.—

In any court proceeding involving an offense against a crime victim, the court shall ensure that the crime victim is afforded the rights described in subsection (a). Before making a determination described in subsection (a)(3), the court shall make every effort to permit the fullest attendance possible by the victim and shall consider reasonable alternatives to the exclusion of the victim from the criminal proceeding. The reasons for any decision denying relief under this chapter shall be clearly stated on the record.

(2) Habeas corpus proceedings.—

(A)In general.—

In a Federal habeas corpus proceeding arising out of a State conviction, the court shall ensure that a crime victim is afforded the rights described in paragraphs (3), (4), (7), and (8) of subsection (a).

(B) Enforcement.—

(i)In general.—

These rights may be enforced by the crime victim or the crime victim's lawful representative in the manner described in paragraphs (1) and (3) of subsection (d).

(ii)Multiple victims.—

In a case involving multiple victims, subsection (d)(2) shall also apply.

(C)Limitation.—

This paragraph relates to the duties of a court in relation to the rights of a crime victim in Federal habeas corpus proceedings arising out of a State conviction, and does not give rise to any obligation or requirement applicable to personnel of any agency of the Executive Branch of the Federal Government. (D)Definition.—

For purposes of this paragraph, the term "crime victim" means the person against whom the State offense is committed or, if that person is killed or incapacitated, that person's family member or other lawful representative.

- (c) Best Efforts To Accord Rights.—
- (1)Government.—

Officers and employees of the Department of Justice and other departments and agencies of the United States engaged in the detection, investigation, or prosecution of crime shall make their best efforts to see that crime victims are notified of, and accorded, the rights described in subsection (a).

(2) Advice of attorney .--

The prosecutor shall advise the crime victim that the crime victim can seek the advice of an attorney with respect to the rights described in subsection (a).

(3)Notice.—

Notice of release otherwise required pursuant to this chapter shall not be given if such notice may endanger the safety of any person.

- (d) Enforcement and Limitations --
- (1)Rights.—

The crime victim or the crime victim's lawful representative, and the attorney for the Government may assert the rights described in subsection (a). A person accused of the crime may not obtain any form of relief under this chapter.

(2) Multiple crime victims.—

In a case where the court finds that the number of crime victims makes it impracticable to accord all of the crime victims the rights described in subsection (a), the court shall fashion a reasonable procedure to give effect to this chapter that does not unduly complicate or prolong the proceedings.

(3) Motion for relief and writ of mandamus.—

The rights described in subsection (a) shall be asserted in the district court in which a defendant is being prosecuted for the crime or, if no prosecution is underway, in the district court in the district in which the crime occurred. The district court shall take up and decide any motion asserting a victim's right forthwith. If the district court denies the relief sought, the movant may petition the court of appeals for a writ of mandamus. The court of appeals may issue the writ on the order of a single judge pursuant to circuit rule or the Federal Rules of Appellate Procedure. The court of appeals shall take up and decide such application forthwith within 72 hours after the petition has been filed, unless the litigants, with the approval of the court, have stipulated to a different time period for consideration. In deciding such application, the court of appeals shall apply ordinary standards of appellate review. In no event shall proceedings be stayed or subject to a continuance of more than five days for purposes of enforcing this chapter. If the court of appeals denies the relief sought, the reasons for the denial shall be clearly stated on the record in a written opinion.

(4)Error.—

In any appeal in a criminal case, the Government may assert as error the district court's denial of any crime victim's right in the proceeding to which the appeal relates.

(5)Limitation on relief.—In no case shall a failure to afford a right under this chapter provide grounds for a new trial. A victim may make a motion to re-open a plea or sentence only if—

(A)

the victim has asserted the right to be heard before or during the proceeding at issue and such right was denied;

(B)

the victim petitions the court of appeals for a writ of mandamus within 14 days; and (C)

in the case of a plea, the accused has not pled to the highest offense charged.

This paragraph does not affect the victim's right to restitution as provided in title 18, United States Code.

(6)No cause of action.—

Nothing in this chapter shall be construed to authorize a cause of action for damages or to create, to enlarge, or to imply any duty or obligation to any victim or other person for the breach of which the United States or any of its officers or employees could be held liable in damages. Nothing in this chapter shall be construed to impair the prosecutorial discretion of the Attorney General or any officer under his direction.

- (e)Definitions.—For the purposes of this chapter:
- (1) Court of appeals.—The term "court of appeals" means—

(A)

the United States court of appeals for the judicial district in which a defendant is being prosecuted; or (B)

for a prosecution in the Superior Court of the District of Columbia, the District of Columbia Court of Appeals.

- (2) Crime victim.—
- (A)In general.—

The term "crime victim" means a person directly and proximately harmed as a result of the commission of a Federal offense or an offense in the District of Columbia.

(B) Minors and certain other victims.—

In the case of a crime victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardians of the crime victim or the representatives of the crime victim's estate, family members, or any other persons appointed as suitable by the court, may assume the crime victim's rights under this chapter, but in no event shall the defendant be named as such guardian or representative.

(3)District court; court.—

The terms "district court" and "court" include the Superior Court of the District of Columbia.

- (f) Procedures To Promote Compliance.—
- (1)Regulations.—

Not later than 1 year after the date of enactment of this chapter, the Attorney General of the United States shall promulgate regulations to enforce the rights of crime victims and to ensure compliance by responsible officials with the obligations described in law respecting crime victims.

(2) Contents.—The regulations promulgated under paragraph (1) shall—

(A)

designate an administrative authority within the Department of Justice to receive and investigate complaints relating to the provision or violation of the rights of a crime victim;

(B)

require a course of training for employees and offices of the Department of Justice that fail to comply with provisions of Federal law pertaining to the treatment of crime victims, and otherwise assist such employees and offices in responding more effectively to the needs of crime victims;

(C)

contain disciplinary sanctions, including suspension or termination from employment, for employees of the Department of Justice who willfully or wantonly fail to comply with provisions of Federal law pertaining to the treatment of crime victims; and

(D) provide that the Attorney General, or the designee of the Attorney General, shall be the final arbiter of the complaint, and that there shall be no judicial review of the final decision of the Attorney General by a complainant.

(Added <u>Pub. L. 108–405, title I</u>, § 102(a), Oct. 30, 2004, <u>118 Stat. 2261</u>; amended <u>Pub. L. 109–248</u>, <u>title II</u>, § 212, July 27, 2006, <u>120 Stat. 616</u>; <u>Pub. L. 111–16</u>, § 3(12), May 7, 2009, <u>123 Stat. 1608</u>; <u>Pub. L. 114–22, title I</u>, § 113(a), (c)(1), May 29, 2015, <u>129 Stat. 240</u>, 241.)

8:19-cv-00506-RGK-PRSE Doc#1 Filed: 11/19/19 Page 38 of 54 - Page ID#38

Dale L Barta Complaint

46629-822 RD

Buswell 72 68823

Lone phone 308-346-4468

Cell-308-730-0379

Wale Barta has a land patent on the 160 acres we live on and on the land patent on 200 acres just north of the 160 acres all bogether 360 acres, Finda Heermann Lasfield Co Clerk of District Court + Deeds, would not file our closuments. Wale Back put no tresposing signs on the gate to the 200 acres and on fine post, On June 10, 2013 approximately 10:00 AM Dale saw Hodney & neel, pick-up + horse bailer with cow-calf pair and two other min with puck-up and horse trailers coming out of the morth 200 acres. They had unlooked the Callle. Wal Barta parfer his rest white pickup to black them to prove they were tresp Dale then couled 911 at taylor The to report to the Shereff what was happing, Dale had legal Tresposing signs and private property signs. Someone distroyed the signs Two dejuty shereff showed ug, One deputy sheriff theaten Dale 3 times to lock Dale up of he didn't more his pickup. Vale was on the 160 acres,

Today O'Test was the one that was tresposary On our land, The Deputy Shirff I've not have a worrant Wale Barta has 2 withness, The Deputy Shereff called a towing truck owed by Divane auto Repair to remove Dale's pickup, The pickup was locked in 4- wheel drive and door were lockel. Larry Donner - Sheriff showed up pashed his car at the drive way he did nothing i Larry Donner talked to O' neel and let him go, Larry bonner the Sheriff was arding and abbetly the crime, Valebarte pick my has been gone sence June 10 201 Dak used it every day, it has farm tools to fire fence, windwill repair, cutting this cheeling Livestock.

And the second s

2

6 舞



Sheriff Larry Donner of Garifell Co.



Kurby alloway Deputy and his deputy talking to Wale Barla and Kinnith Martensen friend



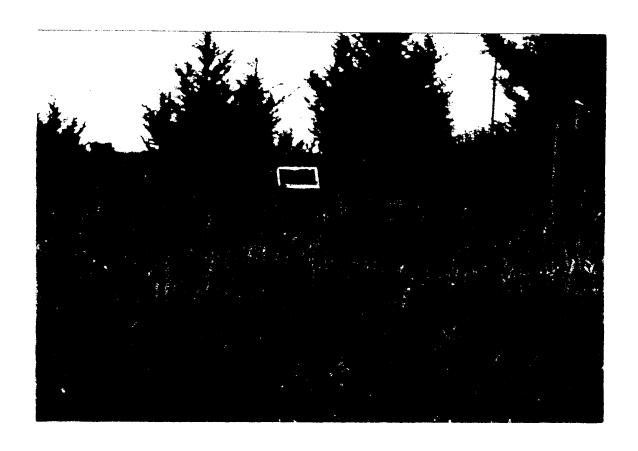
Duane auto Brapair Backing up to Dale Bark pickey











Crivat Property sign





this shows where the no transpossing sign was

8:19-cv-00506-RGK-PRSE Doc # 1 Filed: 11/19/19 Page 46 of 54 - Page ID # 46

Jason Malkis Atkinson 41644 894 RD 925.5460

Wave Laussen O'Neill RR 1 BOX 113 336-3207

Lasry Rongso Osl 1107p 728-7083

Rod Swendener Burwell RR pob 178 346 5261

Lany Donner Burwell 5546 RRI BOXAB6 346-4968

Dong Polland address unknown

Mike Bolli RR 2 Box 58A. Burwell-3464541

got name 2-25-03 6:15 over telephone from Mike Bolli

96-40899-TLS Notice will not be electronically mailed to:

Dale L. Barta R.R. 1 Box 106

Burwell, NE 68823

Sherill D. Barta

R.R. 1

Box 106

Burwell, NE 68823

James D. Gotschall on behalf of Defendant Jack Todd

Strope & Gotschall, P.C.

P.O. Box 858

125 North 4th Street

O'Neill, NE 68763

Susan L. Knight on behalf of Creditor United States of America

Federal Building, Rm. 487

Lincoln, NE 68507

Thomas Wagoner on behalf of Defendant Dale E. Barta

P.O. Box 1585

Grand Island, NE 68802

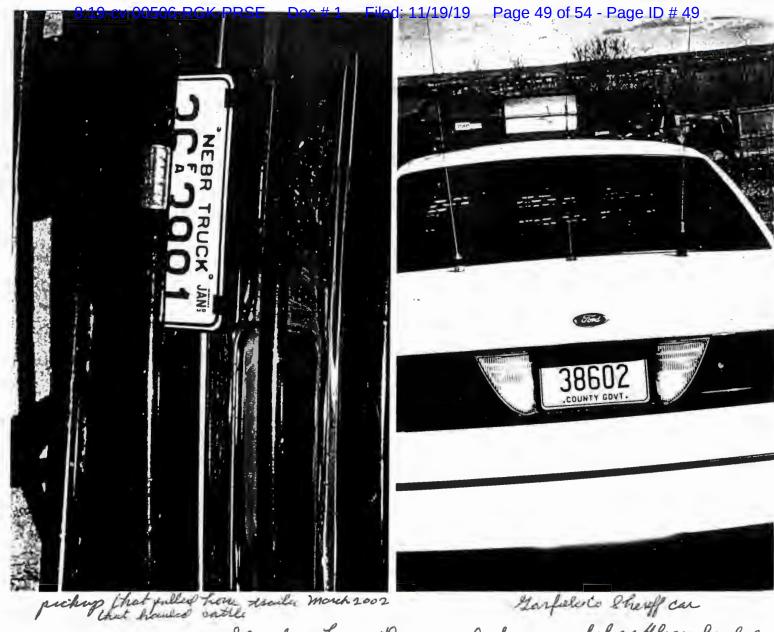




Sheriff Largeld Co

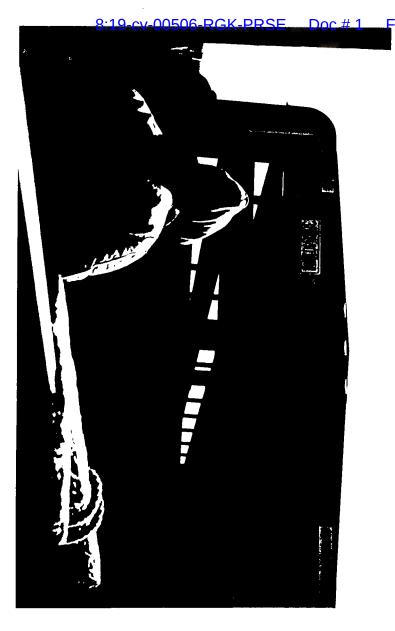


EXH:I3IT 4



Speriff Larry Donner looking in while cubble are loaded

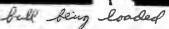






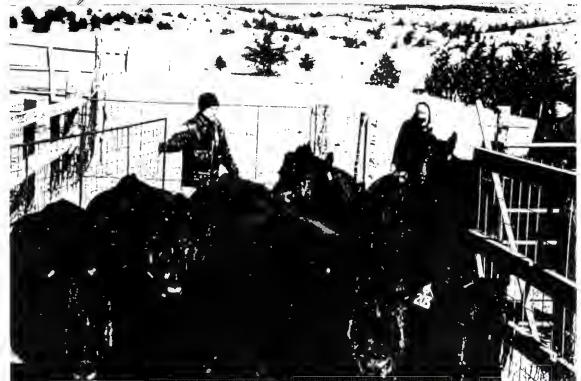






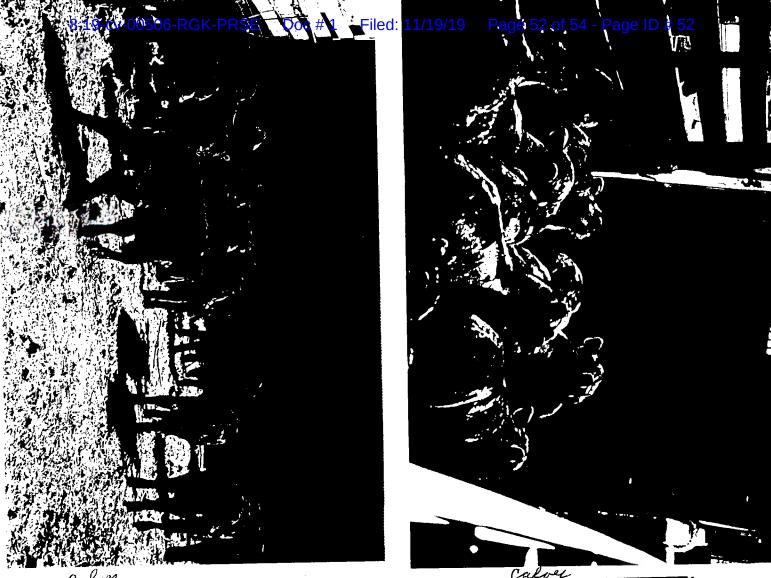


loading bull + herflers on traile



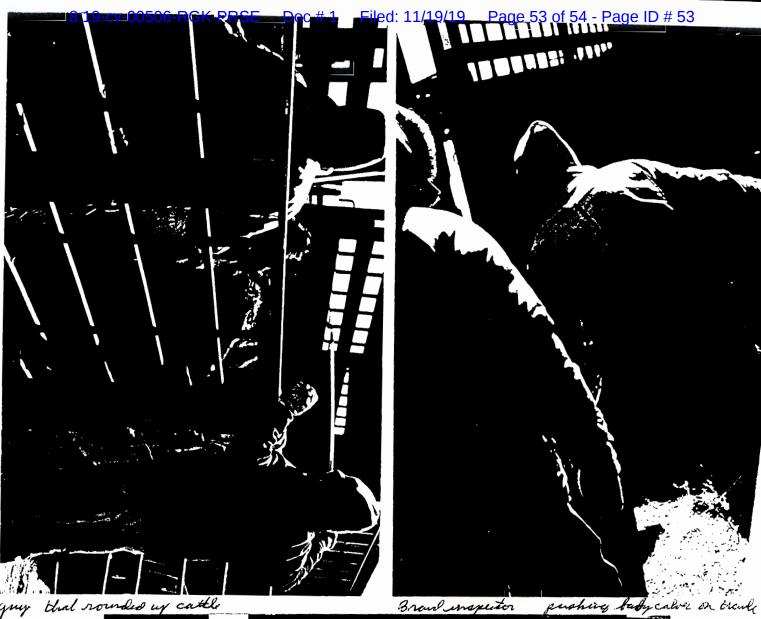
Mike Bolli

Doug Pollard Legaty





Cows





loading cows March 2002







make Bolle Garfield to Deputy

